

09/750,923
Attorney Docket No. 004-0003/MNL

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DAC
A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Tucciarone et. Al. : **Examiner TBD**
Serial No. 09/750,923 ✓ : **Art Unit 2182**
Filed: January 2, 2001 :

For ELECTRONIC MESSAGING SYSTEM AND METHOD THEREOF

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 1.181(a)

Mail Stop Petitions
Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On November 3, 2003, the Patent Office has issued a Notice of Abandonment Under 37 CFR 1.53(f) or (g), indicating that the above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts mailed on May 10, 2001.

The Undersigned Attorney hereby declares that the Notice to File Missing Parts mailed on May 10, 2001 was never received.

It should be noted that a Notice to File Missing Parts of Nonprovisional Application (hereinafter as Notice to File Missing Parts) mailed on February 16, 2001 was received by the Undersigned Attorney. A copy of the Notice to File Missing Parts is enclosed herewith as Attachment A.

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DEC 04 2003
OFFICE OF PETITIONS

In response to the Notice to File Missing Parts, the Undersigned Attorney prepared and filed two Communication packets on April 10, 2001. The first Communication packet contains a copy of the Notice to File Missing Parts of Nonprovisional Application mailed on February 16, 2001; a cover letter; a Declaration for Utility of Design Patent Application; a USPTO Credit Card Payment Form authorizing a payment amount of \$65.00 to file the Declaration. The first Communication is enclosed herewith as Attachment B.

The second Communication packet contains a cover letter; an Assignment; a Recordation Form Cover Sheet for recording the Assignment; and a USPTO Credit Card Payment Form authorizing a payment of \$40.00. A copy of the second Communication is enclosed herewith as Attachment C.

The Patent Office has received both of these communication packets, as evidenced by the return postcard with an OIPE stamp dated April 10, 2001. The postcard is enclosed herewith as Attachment D.

A corollary proof that the Patent Office has timely received the Communication packets is a Credit Card statement with a closing date of April 24, 2001. In this statement, there is an indication that the USPTO has received a \$40.00 payment on April 12, 2001. There is also an indication that the USPTO has received a \$65.00 payment on April 12, 2001. The Credit Card Statement is enclosed herewith as Attachment E.

For the foregoing reasons, the Undersigned Attorney has indeed made a timely reply on April 10, 2001 to the Notice to File Missing Parts dated February 16, 2001, and the timely reply was indeed received by the USPTO. It is apparent that the USPTO has since lost the Communication packets, thus leading to the Notice of Abandonment

mailed on November 3, 2003. Had the USPTO not loss the Communication packets, the above-identified application would not have been regarded as abandoned.

Therefore, the Undersigned Attorney respectfully request under 37 CFR 1.181(a) and MPEP 711.03(c)(I) that the holding of abandonment be withdraw.

Though it is clearly stated in MPEP 711.03(c)(I) that where an applicant contends that the application is not in fact abandoned, a petition under 37 CFR 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course or action and such petition does not require a fee, in case of oversight, the Commissioner is hereby authorized to charge any underpayment of fees or credit any overpayment of fees in connection with this communication to Deposit Account Number 502840.

Respectfully submitted,



Michael N. Lau
(Registration No. 39,479)
Lau & Associates
7701 Rockledge Court
Springfield, VA 22152
703-644-7695 (Telephone)
703-644-4303 (Facsimile)
Michael_Lau_@Yahoo.com

November 25, 2003



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/750,923	01/02/2001	Joel D. Tucciarone	004-0003

CONFIRMATION NO. 7355

**ABANDONMENT/TERMINATION
LETTER**



OC000000011166319

Michael N. Lau
7701 Rockledge Court
Springfield, VA 22152

Date Mailed: 11/03/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/10/2001.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

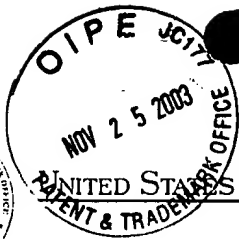
Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



ATTACHMENT

A

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/750,923	01/02/2001	Joel D. Tucciarone	00-0003/mnl

CONFIRMATION NO. 7355

FORMALITIES LETTER



OC000000005775453

Michael N. Lau
7701 Rockledge Court
Springfield, VA 22152

Date Mailed: 02/16/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- The Claim(s) commencing on a separate sheet (37 CFR 1.75(h)).
- A substitute specification in compliance with 37 CFR 1.52 because:
 - The specification cannot be scanned or properly stored. Page(s)

- Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily

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09750923

01/30/2004 JTIPPETT 00000003 502840

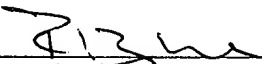
65.00 DA

01 FC:2051

legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages **73-118** are not in compliance with 37 CFR 1.52(a).

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

ATTACHMENT B

09/750,923
Attorney Docket No. 004-0003/mnl

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tucciarone et al.

Serial No. 09/750,923

Filed: Jan. 2, 2001

:

:

:

:

Examiner TBD

Art Unit 2182

For Electronic Messaging System and Method Thereof

COMMUNICATION

Box Missing Parts
Honorable Commissioner of Patent
Washington, DC 20231

Sir:

This Communication is filed in response to the Notice To File Missing Parts of Nonprovisional Application mailed on February 16, 2001, having a response due date of April 16, 2001. This communication being timely filed on or before the due date; therefore, no extension of time fee is necessary.

Enclosed herewith are copies of a Declaration, and a Notice To File Missing Parts of Nonprovisional Application.

Also enclosed herewith is a credit card payment form in the amount of \$65.00.

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RECEIVED

DEC 04 2003

OFFICE OF PETITIONS

The Commissioner is hereby authorized to charge any underpayment of fees or credit any overpayment of fees in connection with this communication to Deposit Account 501356.

Respectfully submitted,



Michael N. Lau
(Registration No. 39,479)
Lau & Associates
1101 14th Street, N.W., Suite 504
Washington, DC 20005
202-326-0222
202-326-0223 (Fax)
Michael lau @Yahoo.com

April 10, 2001

ATTACHMENT C

09/750,923

Attorney Docket No. 004-0003/mnl

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Tucciarone et al. : TBD
Serial No. 09/750,923 : Art Unit 2182
Filed: Jan. 2, 2001 :

For Electronic Messaging System and Method Thereof

COMMUNICATION

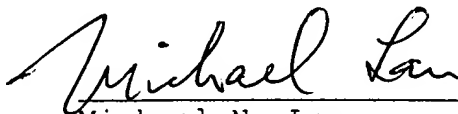
Box Assignment
Honorable Commissioner of Patent
Washington, DC 20231

Sir:

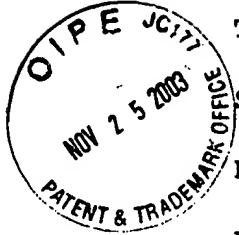
Enclosed herewith are an executed Assignment, a
Recordation Form Cover Sheet, and a credit card payment
form in the amount of \$40, please promptly record these
legal instruments.

The Commissioner is hereby authorized to charge any
underpayment of fees or credit any overpayment of fees in
connection with this communication to Deposit Account
501356.

Respectfully submitted,



Michael N. Lau
(Registration No. 39,479)
Lau & Associates



Attorney Docket No. 004-0003/mnl

1101 14th Street, N.W., Suite 504
Washington, DC 20005
202-326-0222
202-326-0223 (Fax)
Michael lau @Yahoo.com

April 10, 2001

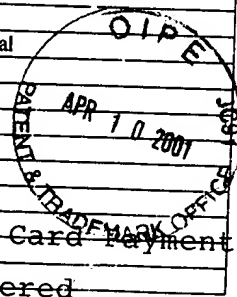
ATTACHMENT D

Serial # 09/750,923 Attorney Docket # 004-0003
 Filed: Jan 2, 2001 Inventor: Tucciarone et al.
 Title: Electronic Messaging System & Method Thereof

COMMISSIONER OF PATENTS & TRADEMARKS
 BOX Assignment
 WASHINGTON, DC 20231

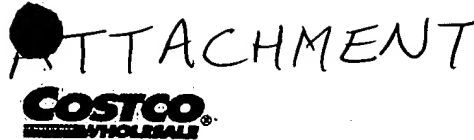
Please acknowledge receipt of the following by date stamping and returning this card to us.

<input type="checkbox"/>	Preliminary Amendment	<input type="checkbox"/>	Appeal Brief in Triplicate
<input type="checkbox"/>	Amendment	<input type="checkbox"/>	Reply Brief in Triplicate
<input checked="" type="checkbox"/>	Communication <u>2</u>	<input type="checkbox"/>	Notice of Appeal
<input type="checkbox"/>	New Application	<input type="checkbox"/>	Formal Drawing
<input type="checkbox"/>	PCT Application	<input type="checkbox"/>	Issue Fee & Transmittal
<input type="checkbox"/>	Continuation Patent Application (CPA)	<input type="checkbox"/>	Cover Letter
<input type="checkbox"/>	Divisional Application	<input type="checkbox"/>	Certificate of Mailing
<input type="checkbox"/>	Continuation-In-Part Application (CIP)	<input type="checkbox"/>	Hand Delivery
<input type="checkbox"/>	Certified Copy of Priority Application	<input type="checkbox"/>	Transmittal Letter
<input type="checkbox"/>	Specification, Drawings & Abstract	<input type="checkbox"/>	Petition
<input type="checkbox"/>	Information Disclosure Statement	<input type="checkbox"/>	Check #
<input type="checkbox"/>	Substitute Specification	<input type="checkbox"/>	Others
<input checked="" type="checkbox"/>	Assignment with Recordation sheet	<input checked="" type="checkbox"/>	Credit Card Payment
<input checked="" type="checkbox"/>	Declaration & Power of Attorney	<input checked="" type="checkbox"/>	Forms
		<input checked="" type="checkbox"/>	Hand delivered





Cards



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www.americanexpress.com

Page 1 of 12

American Express® Platinum Credit Card

Prepared For
AUDREY P. LAU

Closing Date
April 24, 2001

Account Number
3715-055941-41003

Account Summary

Confirmation of phone payment 642207

Previous Balance \$	Payment Activity \$	New Charges/Adjustments \$ inc. Finance Charge, if any	New Balance \$	Minimum Amount Due \$
2,648.09	-3,264.62	+2,478.52	1,861.99	37.00

* Indicates posting date.

Payment Due Date
May 19, 2001

Please refer to page 7
for important information
regarding your account

Credit Line Summary

Total Credit Line \$	Available Credit Line \$	Cash Advance Limit \$	Available Cash Limit \$
13,500.00	11,638.01	2,700.00	2,700.00

Payments

	Amount \$
March 27, 2001* PHONE PAYMENT USING EXPRESS CASH 1062816558343 FIRST UNION BANK Reference: 320010880195765423	-616.53
April 13, 2001* PHONE PAYMENT USING EXPRESS CASH 1062816558343 FIRST UNION BANK Reference: 320011030224048841	-2,648.09
Total of Payment Activity	-3,264.62

New Activity**Transactions for AUDREY P. LAU**

	Amount \$
March 25, 2001 COSTCO WHOLESAL 0992SPRINGFIELD VA GENERAL MERCHANDISE ROC No. 0010722510 Reference: 320010850193316299	76.17

↓ Please fold on the perforation below, detach and return with your payment ↓

Continued on reverse

Payment Coupon

Account Number
3715-055941-41003

Payment Due Date:
May 19, 2001

Please enter account
number on all checks and
correspondence.



AUDREY P. LAU
7701 ROCKLEDGE CT
SPRINGFIELD VA 22152-3854

Minimum
Amount Due
\$37.00

To avoid additional
Finance Charges on
Purchases, pay New
Balance before Payment
Due Date.

Amount enclosed

\$

Note any address and/or
telephone number change
on reverse side. Unless
you check here, this
change will apply to all of
your Card Accounts except
any Corporate Card
Accounts you may have.

Mail Payment to:

AMERICAN EXPRESS
SUITE 0002
CHICAGO IL 60679-0002



0000371505594141003 000186199000003700 21 H

08566 R07EXA2N 02797 00202. (234)

Amount \$

April 13, 2001 HANAHREUM CORP.VA ANNANDALE VA 01/FOOD AND BEVERAGE ROC No. 0000016725 Reference: 320011040224482293	31.95
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Email

[illegible]

Providing your email address to American Express will enable you to receive special offers, suited to your needs.



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Prepared For
AUDREY P. LAUAccount Number
3715-055941-41003

Page 3 of 12

Closing Date
April 24, 2001**New Activity continued**

Amount \$

April 14, 2001

67.97

CVS STORE - 1398 SPRINGFIELD VA
HEALTH/BEAUTY-AIDS
ROC No. 00030386
Reference: 320011050225852055**April 18, 2001**

16.02

GIANT FOODS #59 SPRINGFIELD VA
GAS/GROCERIES/MISC
Reference: 320011090232550806**April 19, 2001**

5.15

CVS STORE - 1398 SPRINGFIELD VA
HEALTH/BEAUTY-AIDS
ROC No. 00047420
Reference: 320011100234299856**April 20, 2001**

20.00

CVS STORE - 1398 SPRINGFIELD VA
HEALTH/BEAUTY-AIDS
ROC No. 00094301
Reference: 320011110236167070**April 21, 2001**

66.36

MACY'S 84 SPRINGFLD SPRINGFIELD VA
LANCOME
Reference: 320011120237428931**April 21, 2001**

20.47

SPRINGFIELD AMOCO SPRINGFIELD VA
PAY AT THE PUMP
Reference: 320011120237428932**April 22, 2001**

42.29

HANAHREUM CORP.VA ANNANDALE VA
01/FOOD AND BEVERAGE
ROC No. 0000003674
Reference: 320011130238973930**Activity for AUDREY P. LAU****583.79****Transactions for MICHAEL LAU**

Card 3715-055941-41011

March 24, 2001

62.70

SMALL CAR PARTS LTD SPRINGFIELD VA
AUTO PARTS
Reference: 320010850193316300**March 25, 2001**

80.05

PEKING VILLAGE REST FALLS CHURCH VA
FOOD/BEVERAGE
Reference: 320010850192507428**March 25, 2001**

14.37

W C BASCOM JR FALLS CHURCH VA
PAY AT THE PUMP
Reference: 320010850192507429**March 25, 2001**

68.80

CHINA GARDEN RESTAURNT ARLINGTON VA
FOOD AND BEVERAGE
Reference: 320010850192507430**March 26, 2001**

63.45

WASHINGTON LAW/PROFSNL BK WASHINGTON DC
BOOKS
Reference: 320010850193833811**March 26, 2001**

123.00

MEMOSUN INC FOUNTAIN VLLY CA
20005
COMPUTER SOFTWARE
ROC No. 099973
Reference: 320010850193833812

Continued on reverse



08567 ROTEXA2N 02797

New Activity continued

Amount \$

March 27, 2001 22.04
CAFE MOZART WASHINGTON DC
FOOD AND BEVERAGE
Reference: 320010870196098134

March 28, 2001 7.38
W C BASCOM JR FALLS CHURCH VA
PAY AT THE PUMP
Reference: 320010870196098135

March 28, 2001 3.50
USPS 1050050238 WASHINGTON DC
POSTAL SERVICES
Reference: 320010880197800169

March 28, 2001 124.38
VALUE EMPORIUM.COM 7149937026 CA
COMPUTER PROGRAMMING
Reference: 320010880197800170

March 29, 2001 71.50
MUSIC & ARTS CENTER SPRINGFIELD VA
MUSIC/MUSICAL INSTRMNT
Reference: 320010890199547282

March 29, 2001 5.32
COSTCO WHOLESAL 0992SPRINGFIELD VA
GENERAL MERCHANDISE
ROC No. 0010667820
Reference: 320010890200547350

March 30, 2001 13.00
NUMBER ONE SPECIAL SPRINGFIELD VA
FOOD/BEVERAGE
FOOD/BEV 11.00
WAITER 2.00
Reference: 320010900201308512

March 31, 2001 15.93
W C BASCOM JR FALLS CHURCH VA
PAY AT THE PUMP
Reference: 320010910202621935

March 31, 2001 59.10
PEKING VILLAGE REST FALLS CHURCH VA
FOOD/BEVERAGE
Reference: 320010910202621936

April 2, 2001 14.23
W C BASCOM JR FALLS CHURCH VA
PAY AT THE PUMP
Reference: 320010930206023059

April 3, 2001 358.23
COMPUSA#0477 ALEXANDRIA VA
22304
COMPUTER HARDWARE, SOFTWARE, ACCESSORIES
CONTACT NAME NOT AVAILABLE
CONTACT PHONE NUMB. NOT AVAILABLE
THANKS FOR SHOPPING AT COMPUSA!
Reference: 320010940207531324

April 3, 2001 59.53
COSTCO WHOLESAL 0992ARLINGTON VA
GENERAL MERCHANDISE
ROC No. 0010059230
Reference: 320010940208516580

April 5, 2001* -31.34
COMPUSA#0477 ALEXANDRIA VA
22304
COMPUTER HARDWARE, SOFTWARE, ACCESSORIES
CONTACT NAME NOT AVAILABLE
CONTACT PHONE NUMB. NOT AVAILABLE
THANKS FOR SHOPPING AT COMPUSA!
Reference: 320010950209314046
Credit

April 6, 2001 15.37
WOODBIDGE AMOCO WOODBRIDGE VA
PAY AT THE PUMP
Reference: 320010970212787770



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Prepared For
AUDREY P. LAUAccount Number
3715-055941-41003

Page 5 of 12

Closing Date
April 24, 2001**New Activity continued**

Amount \$

April 6, 2001 2.08K MART #07415 SPRINGFIELD VA
GENERAL MERCHANDISE
ROC No. 0741509604
Reference: 320010980214360102**April 6, 2001** 2.91K MART #07415 SPRINGFIELD VA
GENERAL MERCHANDISE
ROC No. 0741509603
Reference: 320010980214360103**April 6, 2001** 6.31BLOCKBUSTER VIDEO #9SPRINGFIELD VA
VIDEL SALES/RENTALS
Reference: 320010980214360104**April 7, 2001** 13.63LAKE RIDGE AMOCO WOODBRIDGE VA
PAY AT THE PUMP
Reference: 320010970213606774**April 7, 2001** 11.57WAL-MART 2194 ALEXANDRIA VA
GENERAL MERCHANDISE
Reference: 320010980214360101**April 7, 2001** 22.80NUMBER ONE SPECIAL SPRINGFIELD VA
FOOD/BEVERAGE
FOOD/BEV 19.30
WAITER 3.50
Reference: 320010980216779836**April 9, 2001** 5.29MICROSOFT 800-360-7561 NY
SOFTWARE
ROC No. 0073891871
Reference: 320010990216779837**April 9, 2001** 28.02WAL-MART 2194 ALEXANDRIA VA
GENERAL MERCHANDISE
Reference: 320011000217541690**April 10, 2001** 19.75CVS STORE - 1398 SPRINGFIELD VA
HEALTH/BEAUTY-AIDS
ROC No. 00039786
Reference: 320011010219159569**April 10, 2001** 2.49COSTCO WHOLESAL 0992ARLINGTON VA
GENERAL MERCHANDISE
ROC No. 0010032950
Reference: 320011010220187592**April 11, 2001** 8.35COMPUSA#0477 ALEXANDRIA VA
22304
COMPUTER HARDWARE, SOFTWARE, ACCESSORIES
CONTACT NAME NOT AVAILABLE
CONTACT PHONE NUMB. NOT AVAILABLE
THANKS FOR SHOPPING AT COMPUSAI
Reference: 320011020220994619**April 12, 2001** 25.15CVS STORE - 1398 SPRINGFIELD VA
HEALTH/BEAUTY-AIDS
ROC No. 00039988
Reference: 320011030222711421**April 12, 2001** 40.00US PATENT & TRADEMAR WASHINGTON, DC DC
GOVT SVCS, NOT ELSEWHE
ROC No. 0000000000
Reference: 320011080230955810

Continued on reverse



08568 R07EXA2N 02797

New Activity continued

Amount \$

April 12, 2001 US PATENT & TRADEMAR WASHINGTON, DC DC GOVT. SVCS. NOT ELSEWHE ROC No. 0000000000 Reference: 320011080230955811	65.00
April 13, 2001 USPS 5165430220 SPRINGFIELD VA POSTAL SERVICES Reference: 320011040224482294	2.65
April 13, 2001 SPRINGFIELD AMOCO SPRINGFIELD VA PAY AT THE PUMP Reference: 320011040224482295	18.98
April 13, 2001 SPRINGFIELD AMOCO SPRINGFIELD VA PAY AT THE PUMP Reference: 320011040224482296	20.16
April 13, 2001 GIANT FOODS #59 SPRINGFIELD VA GAS/GROCERIES/MISC Reference: 320011050225852056	13.60
April 13, 2001 COSTCO WHOLESAL 0992 SPRINGFIELD VA GENERAL MERCHANDISE ROC No. 0010545690 Reference: 320011060227435209	2.49
April 14, 2001 NUMBER ONE SPECIAL SPRINGFIELD VA FOOD/BEVERAGE FOOD/BEV 21.40 WAITER 3.50 Reference: 320011060227435210	24.90
April 16, 2001 CVS STORE - 1398 SPRINGFIELD VA HEALTH/BEAUTY-AIDS ROC No. 00093481 Reference: 320011070229058755	11.76
April 16, 2001 WAL-MART 2194 ALEXANDRIA VA GENERAL MERCHANDISE Reference: 320011070229058756	4.13
April 16, 2001 SMALL CAR PARTS LTD SPRINGFIELD VA AUTO PARTS Reference: 320011070229726496	90.38
April 18, 2001 WOODBIDGE AMOCO WOODBRIDGE VA PAY AT THE PUMP Reference: 320011090232550807	21.07
April 18, 2001 THE HOME DEPOT 4604 WOODBRIDGE VA BUILDING SUPPLIES Reference: 320011090233585142	53.07
April 18, 2001 THE HOME DEPOT 4604 WOODBRIDGE VA BUILDING SUPPLIES Reference: 320011090233585143	52.77
April 19, 2001 THE HOME DEPOT #4603 ALEXANDRIA VA BUILDING SUPPLIES Reference: 320011100235413695	47.67
April 19, 2001 THE HOME DEPOT #4603 ALEXANDRIA VA BUILDING SUPPLIES Reference: 320011100235413696	16.97



Cards

Prepared For
AUDREY P. LAUAccount Number
3715-055941-41003

Page 7 of 12

Closing Date
April 24, 2001**New Activity continued**

Amount \$

April 19, 2001 3.54K MART #07415 SPRINGFIELD VA
GENERAL MERCHANDISE
ROC No. 0741510904
Reference: 320011110236167072**April 20, 2001** 12.29COSTCO GAS #933 0933 LANCASTER PA
UNATTENDED GASOLINE
1875 HEMPSTEAD ROAD
ROC No. 0010011240
Reference: 320011110236167071**April 22, 2001** 15.75SUNOCO 0434701901 CRANBURY NJ
SUNOCO
0060123 011301838
Reference: 320011140241002490**April 23, 2001** 76.17THE HOME DEPOT #4617 SPRINGFIELD VA
HARDWARE/HOME IMPROV
Reference: 320011140242164886**April 23, 2001** 2.49COSTCO WHOLESALE 0992 ARLINGTON VA
GENERAL MERCHANDISE
ROC No. 0010619470
Reference: 320011140242164887**Activity for MICHAEL LAU** 1,894.73**Total of New Activity**

2,478.52

Finance Charges

Billing days this period: 30

	Average Daily Balance \$	Daily Periodic Rate	Actual Annual Percentage Rate	Corresponding Annual Percentage Rate	FINANCE CHARGE \$
Purchases	0.00	0.0466%	0.00%	16.99%	0.00
Cash Advances	0.00	0.0589%	0.00%	21.49%	0.00
					0.00

Cash Rebate Earnings SummaryAUDREY P. LAU
3715-055941-41003Eligible Spending Toward
Rebate

Your qualified spending for the cash rebate is \$5,055.54.

Bonus .5% Rebate on Spend
when Carrying a Balance

In addition to the cash rebate reward you have earned for your qualified spending on the account, you have earned an additional \$12.88 for revolving your balance during this rebate period.

Remember to pay at least the minimum due, by the payment due date, to avoid Cash Rebate forfeiture and additional finance charges.

You will receive your next cash rebate reward in January 2002 as long as your account is in good standing. Remember, the more you use your American Express Platinum Cash Rebate Card for purchases, the greater your reward will be.

Important Electronic Transfer Information

During your January, February and March billing cycles you had no Express Cash, Pay-by-Phone, and/or automatic payment transactions and printed below is the banking information that we have on file for such transactions. If your banking information differs from that shown below, please call 1-800-CASH-NOW to change it.

Please refer to page 9
for further important
information regarding
your account

Continued on reverse



08569 R07EXA2N 02787



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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)	Attorney Docket Number	004-0003
	First Named Inventor	Tucciarone, Joel D.
	COMPLETE IF KNOWN	
	Application Number	09 / 750,923
	Filing Date	January 2, 2001
	Group Art Unit	2181
<input type="checkbox"/> Declaration Submitted with Initial Filing	OR	<input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)
Examiner Name		

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Electronic Messaging System and Method Thereof

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 01/02/2001 as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
		<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number OR
☐ Registered practitioner(s) name/registration number listed below

Place Customer
Number Bar Code
Label here

Name	Registration Number	Name	Registration Number
Michael N. Lau	39,479		

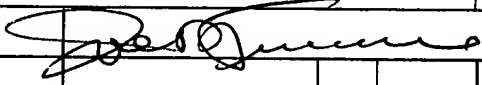
☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number OR ☒ Correspondence address below

Name	Michael N. Lau				
Address	7701 Rockledge Court				
Address	Springfield, VA 22152				
City		State		ZIP	
Country		Telephone	703-644-7695	Fax	703-644-4303

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))		Family Name or Surname	
Joel D.		Tucciarone	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Post Office Address	24 Wellington Court		
Post Office Address	Brooklyn, NY 11230		
City	State	ZIP	Country

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

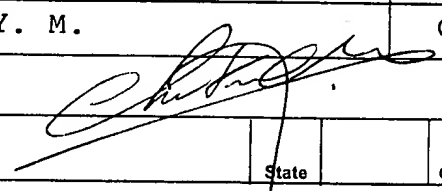
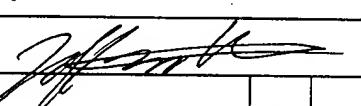
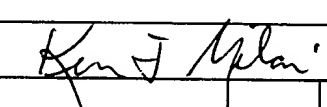
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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>3</u> of <u>4</u>
--------------------	---

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Chester Y. M.		Chee	
Inventor's Signature			Date
			4/2/2001
Residence: City	State	Country	Citizenship
			USA
Post Office Address 149-58 Ash Avenue			
Post Office Address Flushing, NY 11355			
City	State	ZIP	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Jeffrey Y.		Huang	
Inventor's Signature			Date
			4/2/01
Residence: City	State	Country	Citizenship
			USA
Post Office Address 146-22 Kalmia Avenue			
Post Office Address Flushing, NY 11355			
City	State	ZIP	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Kevin		Milani	
Inventor's Signature			Date
			4/4/01
Residence: City	State	Country	Citizenship
			USA
Post Office Address 152 President Street, Apt. 2			
Post Office Address Brooklyn, NY 11231			
City	State	ZIP	Country

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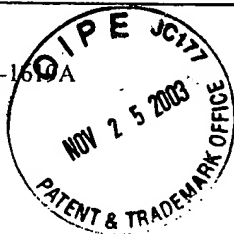
DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>4</u> of <u>4</u>
--------------------	---

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any])				Family Name or Surname				
Patrick				Tighe				
Inventor's Signature		<i>Patrick Tighe</i>			Date		4/2/01	
Residence: City		State		Country		Citizenship		
						USA		
Post Office Address		123 Bank Street						
Post Office Address		New York, NY 10014						
City		State		ZIP		Country		
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any])				Family Name or Surname				
Marlin				Pohlman				
Inventor's Signature		<i>Marlin Pohlman</i>			Date		3/29/01	
Residence: City		State		Country		Citizenship		
						USA		
Post Office Address		6 East 22nd Street, Suite 108						
Post Office Address		Tulsa, OK 74114						
City		State		ZIP		Country		
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any])				Family Name or Surname				
Inventor's Signature					Date			
Residence: City		State		Country		Citizenship		
Post Office Address								
Post Office Address								
City		State		ZIP		Country		

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FORM PTO-160A
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- ☐ Corrective Document
Reel # Frame #

Conveyance Type

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Month Day Year

Name (line 2)

Second Party

Name (line 1) Execution Date
Month Day Year

Name (line 2)

Receiving Party

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Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

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Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

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Enter additional Conveying Parties

Name (line 1) Jeffrey Y. Huang

Execution Date
Month Day Year

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Name (line 2)

Name (line 1) Kevin Milani

Execution Date
Month Day Year

4 4 01

Name (line 2)

Name (line 1) Patrick Tighe

Execution Date
Month Day Year

4 2 01

Name (line 2)

Receiving Party(ies)



Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

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Name (line 2)

Address (line 1)

Address (line 2)

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Application Number(s) or Patent Number(s)



Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

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Name (line 1) Marlin Pohlman

Execution Date
Month Day Year

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Name (line 2)

Execution Date
Month Day Year

Name (line 1)

Name (line 2)

Name (line 1)

Execution Date
Month Day Year

Name (line 2)

Receiving Party(ies)



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Name (line 2)

Address (line 1)

Address (line 2)

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Name (line 2)

Address (line 1)

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Application Number(s) or Patent Number(s)



Mark if additional numbers attached

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Patent Application Number(s)

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Patent Number(s)

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<u></u>	<u></u>	<u></u>

Correspondent Name and Address

Area Code and Telephone Number **202-326-0222**

Name **Michael N. Lau**

Address (line 1) **P. O. Box 34041**

Address (line 2) **Washington, DC 20043**

Address (line 3)

Address (line 4)

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☐ Mark if additional numbers attached

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Patent Application Number(s)

09/750,923

Patent Number(s)

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Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number

only if a U.S. Application Number has not been assigned.

PCT PCT PCT

PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**

Method of Payment:
Deposit Account

Enclosed ☒ Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

501356

Authorization to charge additional fees:

Yes

☒

No

☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Michael N. Lau

Name of Person Signing

Michael Lau

Signature

April 10, 2001

Date

ASSIGNMENT

WHEREAS, we,

Joel D. Tucciarone, a citizen of the United States of America, residing at 24 Wellington Court, Brooklyn, New York 11230, U.S.A.;

Chester Y. M. Chee, a citizen of the United States of America, residing at 149-58 Ash Avenue, Flushing, New York 11355, U.S.A.;

Jeffrey Y. Huang, a citizen of the United States of America, residing at 146-22 Kalmia Avenue, Flushing, New York 11355, U.S.A.;

Kevin Milani, a citizen of the United States of America, residing at 152 President Street, Apt. 2, Brooklyn, New York 11231, U.S.A.;

Patrick Tighe, a citizen of the United States of America, residing at 123 Bank Street, New York, New York 10014, U.S.A.;

Marlin Pohlman, a citizen of the United States of America, residing at 6 East 22nd Street, Suite 108, Tulsa, Oklahoma 74114, U.S.A.;

have made a certain invention entitled an ELECTRONIC MESSAGING SYSTEM AND METHOD THEREOF, for which we have filed an application for letters patent of the United States of

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America on December 26, 2000, which application has been issued a U.S. Patent Application No. 09/750,923; and

WHEREAS, Zoe Corporation, having its principal place of business at 270 Lafayette Street, Suite 1202, New York, New York 10012, is desirous of acquiring an interest therein.

NOW, THEREFORE, in consideration of Ten Dollars (US \$10.00), in currency of the United States of America, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, by these presents, do sell, assign and transfer unto said Zoe Corporation, our entire right, title and interest, for the United States of America and its possessions and territories, and all foreign countries, in and to said invention as described and claimed in an application for letters patent of the United States of America, executed by us

Joel D. Tucciarone, this _____ day of _____, 2001;

Chester Y. M. Chee, this _____ day of _____, 2001;

Jeffrey Y. Huang, this _____ day of _____, 2001;

Kevin Milani, this _____ day of _____, 2001;

Patrick Tighe, this _____ day of _____,

2001;

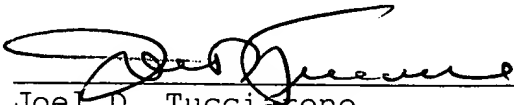
Marlin Pohlman, this _____ day of _____,

2001;

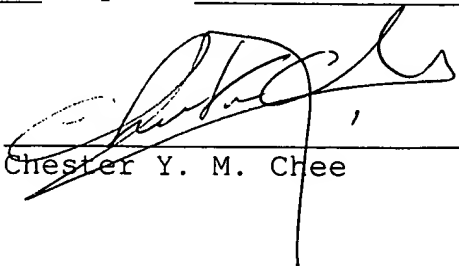
preparatory to obtaining letters patent of the United States of America therefor, said application for letters patent of the United States of America, together with the right to file additional applications for letters patents or other forms of protection for said invention in all foreign countries, including all rights of priority created or conferred by any international convention or treaty to which the United States of America is a party or signatory, and in and to any letters patents or other forms of protection that may be granted for said invention; said invention, applications for patents or other forms of protection and letters patents or other forms of protection, and any continuation, continuations-in-part, divisions, reissues, extensions and renewals thereof, to be held and enjoyed by said Zoe Corporation, for its use and behoof and for its legal representatives, successors and assigns, to the full ends of the terms for which said letters patents or other forms of protection may be granted, as fully and entirely as the same would have been held by us individually had this assignment and sale not been made.

For the same consideration, we hereby covenant and agree that we will and that our legal representative(s) shall execute and deliver any and all application papers, assignments, powers of attorney and other instruments that said Zoe Corporation may consider necessary or advisable to secure letters patents or other forms of protection of the United States of America and all foreign countries for said invention, and any continuations, continuations-in-part, divisions, reissues, extensions and renewals thereof, and to vest and confirm in said Zoe Corporation, the full and complete legal and equitable title to said invention, applications and letters patents or other forms of protection, without further consideration than that now paid but at the expense of said Zoe Corporation, its successors or assigns.

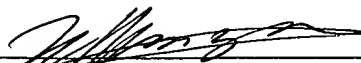
Executed this 2 day of April,
2001.


Joel D. Tucciarone

Executed this 2 day of April,
2001.


Chester Y. M. Chee

Executed this 2nd day of April,
2001.




Jeffrey Y. Huang

Executed this 4 day of April,
2001.



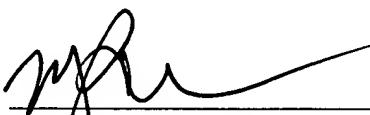
Kevin Milani

Executed this 2nd day of April,
2001.



Patrick Tighe

Executed this 29 day of March,
2001.

* 

Marlin Pohlman